

REMARKS

Applicants respectfully request consideration of the subject application as amended herein. This Amendment is submitted in response to the Office Action mailed October 31, 2006.

Claims 92-112, 115-119 and 161-168 are pending. Claims 92-112, 115-119 and 161-168 have been rejected.

Claim 100 has been amended. It is submitted that no new matter has been added.

Applicants reserve all rights with respect to the applicability of the doctrine of equivalents.

The Examiner has rejected claims 92-94, 98-102, 108-112, 115, 119 and 161-163 under 35 U.S.C. §103(a) as being unpatentable over Chang, et al. (USPN 6,118,864, "Chang") in view of Guy, et al. (USPN 5,940,479, "Guy"), Binkerd, et al. (USPN 4,623,760, "Binkerd") and Meubus, et al. (USPN 5,793,858, "Meubus").

Independent claim 92 reads as follows.

A method, comprising:

- a) generating a ring signal at a remote telephone interface and starting a configurable timer of a voice over packet data network switched call control system that measures a configurable time period over which said ring signal is applied at said remote telephone interface, said generating a ring signal and said starting a configurable timer both a consequence of a connection that was established toward said remote telephone interface over a packet data network in order to place a call through said remote telephone interface;
- b) ceasing said ring signal and sending a control message in response to said configurable timer expiring, said sending a control message further comprising sending said control message over said packet data network to a system that initiated said connection, said system having initiated said

connection in response to a ring signal observed at a telephone interface maintained by said system; and

c) creating an "on-hook" signal at said telephone interface maintained by said system as a consequence of said system having received said control message over the packet data network.

The Office Action states that Chang in view of Guy and Binkerd do not disclose a timer for a ring-no-answer that last a particular duration. (Office Action, 10/31/06, page 4). Applicants agree that Chang in view of Guy and Binkerd do not disclose a timer for a ring-no-answer that lasts a particular duration. Furthermore, Chang, Guy and Binkerd do not disclose "generating a ring signal at a remote telephone interface and starting a configurable timer of a voice over packet data network switched call control system that measures a configurable time period over which said ring signal is applied at said remote telephone interface ..." as recited in claim 92.

Therefore, Chang, Guy and Binkerd do not disclose or suggest the limitations stated in claim 92.

Adding the teachings of Meubus to Chang fails to cure Chang's deficiencies. Meubus discloses a method of in-session activation that gives Telcos the ability to offer callers a menu of call completion services when the call encounters a busy or no-answer condition. (Meubus, Abstract). Meubus discloses a ringing-no-answer (RNA) line status with the telephone call is first examined to see if it is a toll or local call 30. If the telephone call is a toll call the proper announcement identified by a "menu identification" (MENUID) in a data table is retrieved 31, and similarly for a local call 32. If the appropriate MENUID is for any reason not found, then the procedure ends. Otherwise, an RNA timer is started 33, which timing is specified in seconds by the Telco, and is preferably between 12 to 72 seconds. If the called party (DN) answers 34 before

the timer expires 35, ISA is aborted and the connection is established as usual between the two parties. Otherwise, ISA offer of service (i.e. an ISA announcement) is started 36. (Meibus, col. 4, line 57 to col. 5, line 2). Thus, Meibus discloses a timer for a RNA associated with a telephone system having voice traffic.

By contrast, Meibus does not disclose a voice over packet data network. Meibus does not disclose the limitation "starting a configurable timer of a voice over packet data network switched call control system" as recited in claim 92. Furthermore, Meibus does not disclose the limitation "generating a ring signal and said starting a configurable timer both a consequence of a connection that was established toward said remote telephone interface over a packet data network in order to place a call through said remote telephone interface" as recited in claim 92.

Therefore, Meibus does not disclose or suggest the limitations stated in claim 92.

It is respectfully submitted that Chang does not suggest a combination with Guy, and Guy does not suggest a combination with Chang. It would be impermissible hindsight to combine Chang with Guy based on applicants' own disclosure.

It is respectfully submitted that Chang does not suggest a combination with Guy, and Binkerd does not suggest a combination with Chang. It would be impermissible hindsight to combine Chang with Binkerd based on applicants' own disclosure.

It is respectfully submitted that Chang does not suggest a combination with Meibus, and Meibus does not suggest a combination with Chang because Chang teaches away from such a combination. Chang discloses a system and method for providing communication on a wide area network while Meibus discloses a method for

improving call completion rates in a telephone system. It would be impermissible hindsight to combine Chang with Meubus based on applicants' own disclosure. Furthermore, even if Chang, Guy, and Meubus were combined, such a combination would lack the limitations "starting a configurable timer of a voice over packet data network switched call control system" and "generating a ring signal and said starting a configurable timer both a consequence of a connection that was established toward said remote telephone interface over a packet data network in order to place a call through said remote telephone interface" as recited in claim 92.

Therefore, in view of the above distinction, neither Chang, Guy, Binkerd nor Meubus, individually or in combination, disclose each and every limitation of claim 92. As such, claim 92 is not rendered obvious by Chang in view of Guy, Binkerd and Meubus under 35 U.S.C. § 103(a).

Independent claim 100, as amended, and independent claims 108 and 161 contain similar limitations but not identical. For similar reasons, independent claims 100, 108, and 161 are not rendered obvious by Chang in view of Guy, Binkerd and Meubus under 35 U.S.C. § 103(a).

It is submitted that claims 93, 94, 98, 99, 101, 102, 109-112, 115, 119, 162, and 163 are not rendered obvious by Chang in view of Guy, Binkerd and Meubus under 35 U.S.C. § 103(a) given that claims 93, 94, 98, 99, 101, 102, 109-112, 115, 119, 162, and 163 depend from and include the limitations of one of the corresponding independent claims 92, 100, 108, and 161.

The Examiner has rejected claims 95-97, 103-105, 116-118 and 164-166 under 35 U.S.C. §103(a) as being unpatentable over Chang in view of Guy, Binkerd and Meubus and further in view of English, et al. (USPN 5,305,308, "English").

Claims 95-97, 103-105, 116-118 and 164-166 depend from and include the limitations of one of the corresponding independent claims 92, 100, 108, and 161 noted above. It is submitted that English fails to cure the deficiencies of Chang in view of Guy, Binkerd and Meubus noted above with respect to claims 92, 100, 108, and 161 and, therefore, claims 95-97, 103-105, 116-118 and 164-166 are patentable over the combination of cited references.

The Examiner has rejected claims 106-107 and 167-168 under 35 U.S.C. §103(a) as being unpatentable over Chang in view of Guy, Binkerd and Meubus and further in view of Fuentes (USPN 5,812,541) or Lowry, et al. (USPN 5,970,066, "Lowry").

Claims 106-107 and 167-168 depend from and include the limitations of one of the corresponding independent claims 100 and 161 noted above. It is submitted that Fuentes and Lowry fail to cure the deficiencies of Chang in view of Guy, Binkerd and Meubus noted above with respect to claims 100 and 161 and, therefore, claims 106-107 and 167-168 are patentable over the combination of cited references.

In conclusion, applicants respectfully submit that in view of the arguments as set forth herein, the applicable rejections and objections have been overcome.

If there are any additional charges, please charge our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: January 31, 2007

Jeremy A. Schweigert
Jeremy A. Schweigert
Reg. No. 56,244

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(408) 720-8300